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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                               |   |                                  |
|-------------------------------|---|----------------------------------|
| In re Application of:         | : | Before the Examiner:             |
| Challener et al.              | : | Abrishamkar, Kaveh               |
|                               | : |                                  |
| Serial No.: 09/758,927        | : | Group Art Unit: 2131             |
|                               | : |                                  |
| Filing Date: January 11, 2001 | : |                                  |
|                               | : |                                  |
| Title: INTERNET APPLIANCE     | : | IBM Corporation                  |
| INTEGRATING TELEPHONE         | : | Dept. T81/Bldg. 503              |
| FUNCTION SECURITY AND         | : | P.O. Box 12915                   |
| GUIDANCE FEATURES             | : | 3039 Cornwallis Road             |
|                               | : | Research Triangle Park, NC 27709 |

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief having a mailing date of January 9, 2007, with a time for response set to expire on February 9, 2007, and extended by one month to March 9, 2007 by the petition and fee filed herewith, Appellants respond as follows:

Patent Appeal Center Manger, Toi Johnson, asserts that Appellants' Second Appeal Brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal. It appears that while Appellants' Second Appeal Brief does contain a concise explanation of the subject matter defined in each of the independent claims, that there are no sub-headings under the "Summary of Claimed Subject Matter" section in Appellants' Second Appeal Brief identifying which of the independent claims were being explained. By not having such sub-headings, Appellants' Second Appeal Brief was deemed to be non-compliant. Appellants have amended the Second Appeal Brief (referred to as the "Amended Second Appeal Brief") by including such sub-headings. As a result, Appellants respectfully assert that the Amended Second Appeal Brief, filed herewith, is in compliance and respectfully request the Patent Appeal Center Manager to withdraw the notice of non-compliance.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Appellants

By: 

Robert A. Voigt, Jr.  
Reg. No. 47,159

P.O. Box 50784  
Dallas, Texas 75201  
(512)370-2832

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